



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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Ref: 8EPR-N

APR 04 2011

Mr. Kim Martin  
Uinta National Forest  
88 West 100 North  
Provo, UT 84601

Re: Uinta National Forest Oil and Gas Leasing  
Final Supplemental Environmental Impact  
Statement and Record of Decision  
CEQ # 20110058

Dear Mr. Martin:

The U.S. Environmental Protection Agency (EPA) Region 8 has reviewed the Final Supplemental Environmental Impact Statement (FSEIS) and Record of Decision (ROD) for oil and gas leasing on the Uinta National Forest (UNF) prepared by the U.S. Department of Agriculture Forest Service (Forest Service). Our comments are provided for your consideration pursuant to our responsibilities and authority under Section 102(2)(C) of the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4332(2)(C), and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609.

The UNF Oil and Gas Leasing FSEIS addresses issues and potential environmental impacts associated with oil and gas leasing on the UNF. The decisions to be made by the Forest Service through the NEPA analysis include which lands will be available for oil and gas leasing and under what conditions the Bureau of Land Management (BLM) will be authorized to offer specific lands for lease. The ROD selects Alternative 4 from the FSEIS, authorizing leasing on 736,660 acres of the UNF, excluding recommended wilderness areas (totaling 9,880 acres). Alternative 4 also includes multiple lease stipulations to protect sensitive resources. The Reasonably Foreseeable Development Scenario (RFDS) predicts 12 exploratory wells within the UNF in the next 15 years, with one well moving to production.

EPA appreciates that many of our issues and concerns on the Draft Supplemental EIS (DSEIS) were responded to in Appendix E of the FSEIS, and that content was updated in the appropriate EIS chapters. In follow-up to our DSEIS letter of August 20, 2010, our remaining concerns regarding air quality and protection of water resources are provided in the comments below.

## Air Quality

EPA appreciates the thorough response to our air quality concerns provided in the FSEIS. Particularly, a more comprehensive discussion of potential impacts to all resources from potential oil and gas production within the leased acreage was added including criteria pollutants, Hazardous Air Pollutants (HAPs), and Air Quality Related Values (AQRVs). This discussion includes a more complete summary of the results of the Air Quality Modeling Report (AQMR) and a general conformity applicability analysis for the Utah County particulate matter ( $PM_{10}/PM_{2.5}$ ) Non-Attainment Area and the Salt Lake City ozone Maintenance Area. EPA commends the Forest Service on inclusion of Special Stipulation (SS)-5 in the FSEIS and ROD. The  $NO_x$  and VOC emission controls required by this stipulation will benefit air quality during exploration and production in the UNF, which is particularly critical given current ozone conditions in the Uinta Basin.

In our comments on the DSEIS, EPA recommended that the climate change discussion be expanded to include the potential impacts of climate change on the proposed project, and possible means to mitigate project-related emissions. EPA continues to recommend that regional climate change issues be considered and discussed at the leasing and planning stage, as these are relevant to a Forest-wide leasing decision.

(Technical Note: Regarding the General Conformity Analysis on pages 4-306 to 4-308, we note that the emissions comparison should have been performed for  $NO_x$  rather than  $NO_2$ . However, it appears that this may be a typographical rather than calculation error.)

## Protection of Water Resources

Most of EPA's comments regarding protection of groundwater resources during exploration and development of oil and gas resources in the UNF have been addressed in the FSEIS and ROD. We appreciate that the Utah BLM Instruction Memorandum (IM) No. UT 2010-055 is now described in section 4.7.1, and that the IM has also been included in Lease Notice language for protection of drinking water resources. We are also pleased to see the addition of Appendix D – Guidance at the Application for Permit to Drill (APD) Stage, which details specific mitigation measures that will be considered at the APD stage, including EPA's recommended groundwater protection mitigation measures.

The expanded discussion of BLM Utah groundwater protection measures in Section 4.7.1 and potential groundwater impacts in Section 4.7.2 provides important information regarding potential oil and gas development in the Forest. EPA is pleased to see this addition to the UNF FSEIS. However, EPA is disappointed the FSEIS did not include a more detailed presentation of available data characterizing groundwater resources present in the project area to allow for full understanding of the potential for impact during the leasing decision. Because a decision is being made to open up extensive lands to oil and gas leasing within the UNF, full consideration of possible impacts associated with a range of potential development levels in addition to analyzing the impacts associated with the 12 wells predicted in the RFDS would have been



beneficial to the decision maker. Further, EPA had hoped that the FSEIS would have clarified the expected water supply needed for drilling, well completion, and hydraulic fracturing. Although we appreciate being directed to Transportation Section 4.4.2 for a discussion of truck trips needed to supply water, this discussion does not address how water consumption may impact surface water and ground water.

We thank the Forest Service for inclusion of new maps of Alternatives in the FSEIS, that more clearly display areas of No Surface Occupancy (NSO) and other stipulations for protection of drinking water source protection zones. Additionally, we are pleased to see the further clarification of best management practices for protection of wetlands and other surface water resources added to the FSEIS in Appendix D, in response to our August, 20, 2010, letter. However, similar to our continued concerns for potential groundwater impacts, EPA remains concerned that impacts to water quality due to sediment loading may not be negligible if development in excess of that predicted by the RFDS occurs. We recommend at the leasing decision stage that the EIS fully consider possible impacts associated with a range of potential development levels.

Thank you for the opportunity to comment on this FSEIS and ROD. If you have any questions on the comments provided in this letter, please contact me at 303-312-6004, or you may contact Molly Brodin of my staff at 303-312-6577.

Sincerely,



Larry Svoboda  
Director, NEPA Compliance and Review Program  
Office of Ecosystems Protection and Remediation

